

Attorney Docket No. 010129U1

**REMARKS**

Claims 1-32 are pending in the present application, of which claims 1, 12, 23, 26, 28 and 32 are independent. No amendments have been made. Applicants believe that the present application is in condition for allowance, which prompt and favorable action is respectfully requested.

**I. REJECTION UNDER 35 U.S.C. §102**

The Examiner rejected claims 1-3, 5, 8, 12-14, 16, 19, 20, 23-25, 28 and 29 under 35 U.S.C. §102(b) as being allegedly anticipated by European Patent Application No. 1 085 680 issued to Weideman et al. (hereinafter "Weideman"). Applicant respectfully disagrees and requests the Examiner to reconsider the rejection in light of the remarks set forth below.

To anticipate a claim under 35 U.S.C. §102(e), the reference must teach every element of the claim and "[t]he identical invention must be shown in as complete detail as is contained in the ... claim." (see MPEP §2131).

Weideman discusses a method and system for reducing the power consumption of a communication satellite (Abstract). It teaches using a filter of bandpass type, low or high pass types, band stop type or a combination thereof, to form a synthesizer controlled bandwidth (paragraph 38). A bandwidth controller varies the bandwidth of the filter according to the number of desired input channels in the return uplink (paragraph 39). In Fig. 7, Weideman teaches a filter having four SAW filters which are switched in or out depending on the bandwidth used (paragraph 490). Weideman discloses a typical filter that can be used to produce various bandwidths. There is nothing in Weideman to even suggest a plurality of sub-signals of an input signal.

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Therefore, Weideman does not teach or suggest a filter in a satellite to separate a plurality of sub-signals from an input signal based on a filter parameter as in independent claim 1, 12 and 28.

Also, Weideman does discuss the generating traffic-related information based on the traffic from the user terminal, i.e. uplink (paragraph 35). However, there is not even a mention of downlink.

Therefore, Weideman cannot teach or suggest allocating channel capacity between an uplink and a downlink as in independent claim 23. Moreover, Weideman does not teach or suggest a control circuitry adapted to control operating characteristics of a receiver and transmitter, based, at least in part, upon one or more instructions for allocating channel capacity between an uplink and a downlink.

Since Weideman does not teach every element of the claims, Applicant submit that claims 1, 12, 23 and 28 are allowable. In addition, claims 2-3, 5, 8, 13-14, 16, 19, 20, 24-25 and 29 depend from and include all the elements cited in the independent claims 1, 12, 23 and 28, respectively. Accordingly, Applicant submits that these claims are believed to be allowable based on their dependency from an allowable base claim as well as other novel features included therein.

For at least the foregoing reasons, Applicant respectfully submits that Weideman does not anticipate the claimed subject matter and requests a withdrawal of the rejection under 35 U.S.C. §102.

## **II. ALLOWABLE SUBJECT MATTER**

Applicant appreciates the Examiner's indication that claims 26-27 and 32 are allowable. Similarly, Applicant thanks the Examiner for indicating that claims 4, 6-7, 9-11, 21-22 and 30-31 contain allowable subject matter. However, Applicant would prefer to defer rewriting the claims

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to include the elements of the parent claim and all intervening claims until the time at which final disposition of all claims is required.

### CONCLUSION

In light of the amendments contained herein, Applicants submit that the application is in condition for allowance, for which early action is requested.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

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By: \_\_\_\_\_

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